

Appln. No.: 10/091,479
Amendment dated November 23, 2005
Reply to Office Action of July 25, 2005

REMARKS/ARGUMENTS

The Office Action of July 25, 2005, has been carefully reviewed and these remarks are responsive thereto. The Applicants' undersigned representative is new counsel of record pursuant to the new Power of Attorney filed on November 21, 2005. Applicants herein cancel claims 1-27 and present new claims 28-54. No new matter has been added. Claims 28-54 remain pending after entry of the present amendment. Reconsideration and allowance of the instant application are respectfully requested.

All Rejections

Claims 1-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Baskey *et al.* (U.S. Patent No. 6,148,410, hereinafter "Baskey") in view of Weinstein *et al.* (U.S. Patent No. 6,094,485). Claims 1-27 have been cancelled, thus rendering this rejection moot. However, to expedite prosecution, Applicants discuss the applied references with respect to new claims 28-54 below.

New Claims

Claims 28, 44, 46 and 49 relate to, *inter alia*, clustering state information (i.e., transmitting state information to other SSL relays in the cluster) upon receiving an acknowledgment by a second node confirming receipt of a communication from the first node. Neither Baskey nor Weinstein, either separately or in combination, teach or suggest such a feature. At most, Baskey discloses in Col. 8, ll. 48-57 that a synchronization monitor may send periodic updates to a standby fault tolerant recoverable TCP/IP connection router (FTR-CR). Additionally, these periodic updates may be configurable (e.g., sent every connection state change). Even so, nowhere does Baskey teach or suggest that state information of a connection is clustered *upon receiving an acknowledgement by a second node confirming receipt of communications transmitted by a first node to the second node*. Significantly, much of Baskey's description of updating the standby FTR-CR discloses that a standby synchronization manager must notify the active synchronization manager that it is ready and/or available prior to receiving updates. Col. 8, ll. 26-39. In contrast, claims 28, 44, 46 and 49 recite clustering state

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information between the cluster of relays *upon receipt* of an acknowledgement by a second node (i.e., no requirement to wait for an availability notification from the other relays). Weinstein fails to cure the deficiencies of Baskey described above. In fact, Weinstein does not teach or suggest clustering state information or even multiple SSL relays clustered together. At most, Weinstein discloses a process for enabling expanded encryption algorithms when communicating with an approved server. *See* Abstract. More specifically, Weinstein is limited to communications between a client and a server through an individual SSL relay, unsupported by any additional relays. As such, there is no teaching or suggestion of clustering state information upon receipt of an acknowledge by a second node confirming receipt of data from a first node since Weinstein fails to even disclose a cluster of relays. Claims 28, 44, 46 and 49 are thus allowable for at least this reason.

Additionally, claim 46 further relates to, *inter alia*, transmitting a third acknowledgment from the first SSL relay upon receiving the acknowledgment from at least a second SSL relay confirming successful clustering. The third acknowledgment is provided to confirm that the second node has received the data communication from the first node. As disclosed in Applicants' specification, using such an acknowledgment scheme allows the clustering process to reduce the update size. p. 12, ll. 16-22. Baskey and Weinstein fail to teach or suggest this feature as well. In addition to lacking any teaching or suggestion of a second acknowledgment from at least a second SSL relay confirming successful clustering, Baskey and Weinstein fail to teach or suggest sending a third acknowledgment *in response to the second acknowledgment*. As such, claim 46 is allowable for this additional reason.

Claims 29-43, 45, 47, 48 and 50-54 are dependent on their respective base claims and are thus allowable for at least the same reasons as their respective base claims and further in view of the novel and non-obvious features recited therein.

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CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

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